CWP No. 465 of 2005

13.11.2007 Present: Mr. Anup Rattan, counsel for the petitioner.

Mr. M.S.Chandel, Advocate General, with
Mr. R.M.Bisht, DAG, for respondents No. 1 & 2.

Mr. Bhuvnesh Sharma, counsel for respondent No.3.

Mr. Suneet Goel, counsel for respondent No. 4.

By means of this writ petition the petitioner has prayed that the Municipal Council of Una may be directed to shift the garbage dump from the present place i.e. Village Malahat to a distance place after taking into consideration the provisions of the Municipal Solid Wastes (Management and Handling) Rule 2000. Other directions have also been prayed for.

On 15.5.2007 this court had passed a detailed order appointing a two member committee consisting of Mr. B.J.S. Dadhwal, Member Secretary, Chandigarh Pollution Control Board and Ms. Madhu Soni, Senior Project Consultant, H.P. State Environmental Protection and Pollution Control Board to visit and inspect the site and file a report giving their suggestions for improvement of the functioning of the Solid Waste Management Plant set-up at the site so that it does not cause any nuisance to the persons living in the vicinity of the plant. The Committee visited the spot and has submitted its report to us. The Committee has made 14 recommendations for improvement of the Solid Waste Management Plant which will also reduce the inconvenience being

caused to the persons living in the vicinity including the petitioner. Out of these recommendations, two are such compliance whereof may require money and time. One is the first recommendation that the link road connecting the site to the main road should be made pucca and the other suggestion is that the existing site of the plant should be surrounded on all sides by a brick wall or iron sheets 8 to 10 feet in height. Keeping in view that some time and expenditure will be involved, we direct the Municipal Council, Una to ensure that the road is made pucca/concreted and the wall in question is constructed latest by 31st March, 2008. The 12 other recommendations are such which can be complied with immediately and shall be implemented forthwith. We accept the report submitted by the Committee appointed by us and place on record our appreciation for the work done by the two member committee.

We direct the Municipal Council, Una to ensure that the Solid Waste is handled in the plant in question after following the directions 3 to 14 given by the Committee. As far as recommendations No. 1 and 2 are concerned, as already observed above, these shall be complied with on or before 31st March, 2008.

In view of the above order, nothing further survives in this writ petition which is accordingly disposed of.

(Deepak Gupta), J.

November 13, 2007(K) (V. K. Ahuja), J.